

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA )  
                                  )  
Plaintiff,                    )  
                                  )  
vs.                            ) Cause No: 4:19 CR 755 HEA (JMB)  
                                  )  
STEPHAN JONES                )  
                                  )  
Defendant.                    )

**DEFENDANT ‘S MOTION TO RECONSIDER BOND  
DETERMINATION AND FOR IMMEDIATE RELEASE**

Defendant moves the Court for a bail hearing and an order granting his release. Stephan Jones, who is a pretrial defendant currently detained at the St. Genevieve County Jail, is within the group of people the Centers for Disease Control and Prevention (“CDC”) has categorized as most-at-risk for contracting COVID-19, a dangerous illness spreading rapidly across the world, through Missouri, and within the St. Louis region. The Bail Reform Act provides for the “temporary release” of a person in pretrial custody “to the extent that the judicial officer determines such release to be necessary for preparation of the person’s defense or for another compelling reason.” 18 U.S.C. § 3142(i). The health risk to Stephan Jones because of the conditions at St. Genevieve County Jail, as described in detail below, necessitates his temporary release on bail until this pandemic has ended.

**The Bail Reform Act Requires Stephan Jones’ Release**

A “judicial officer may, be subsequent order, permit the temporary release of the person, in the custody of a United States marshal or another appropriate person, to the extent that the judicial officer determines such release to be necessary for preparation of the person’s defense or for another compelling reason.” 18 U.S.C. § 3142(i). The circumstances that existed

when Stephan Jones was ordered detained have now changed. There is a pandemic that poses a direct risk to Stephan Jones that is far greater if he continues to be detained during this public health crisis.

In addition, Mr. Jones has been in St. Genevieve County under crowded conditions. Defendant has told counsel he has inadequate access to cleaning materials, masks, hand sanitizer and there is no social distancing in jail. Defendant has also indicated he has breathing problems which could make him more susceptible to the corona virus. He has also previously had pneumonia. An additional changed circumstances since Defendant's detention is that the government is no longer seeking capital punishment.

WHEREFORE, Defendant respectfully requests that he be released on bail pending sentencing due to the COVID-19 crisis.

Respectfully submitted,

/s/ Peter M. Cohen  
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<sup>30</sup> Annie Sweeney, *Cook County Officials Ponder Inmate Release to Ease Coronavirus Concerns at Jail; Advocates Demand State Consider Taking Action*, Chicago Tribune (March 16, 2020), available at:

<https://www.chicagotribune.com/coronavirus/st-coronavirus-illinois-jails-and-prisons-20200316-eztubw4anehdin7qppaoh4o24-story.html> (last accessed March 17, 2020).

<sup>31</sup> *Inmates in Ohio Being Released Due to Concern of Coronavirus Spread*, WJHL (March 14, 2020), available at <https://www.wjhl.com/coronavirus/inmates-in-ohio-being-released-due-to-concern-of-coronavirus-spread/> (last accessed March 17, 2020).

CERTIFICATE OF SERVICE

A copy of the foregoing was via the court's ECF system on this 13<sup>h</sup> day of April, 2020 to:  
Thomas Rea, Assistant United States Attorney, 111 South 10<sup>th</sup> St., Room 20.333, St. Louis, MO  
63102.

/s/ Peter M. Cohen  
Attorney at Law